EASTERN DISTRICT OF NEW YORK	
DOUGLAS HEIMOWITZ, Plaintiff,)) 10 Civ. 3988 (ADS) (AKT)
- against -) STIPULATION
RANDOM HOUSE, INC.,) OF DISMISSAL) <u>WITH PREJUDICE</u>
Defendant.))) X

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned attorneys for the respective parties, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, that the above-captioned action be, and hereby is, dismissed with prejudice, and without costs to any party. The undersigned represent all the parties who have appeared in this action.

This Stipulation may be signed using one or more counterparts. The several executed copies together will be considered an original and will be binding on the parties. Facsimile copies of this stipulation and signatures thereon shall be valid and binding on the parties.

Dated: New York, New York December **/0**, 2010

LAW OFFICES OF P.B. TUFARIELLO, P.C.

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